



PENNIE & EDMONDS LLP DOCKET NO. 10255-018-999

SUBSTITUTE DECLARATION FOR NON-PROVISIONAL PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below at 201 et seq. beneath my name.

I believe I am the original, first and sole inventor if only one name is listed at 201 below, or an original, first and joint inventor if plural names are listed at 201 et seq. below, of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHODS AND SYSTEMS FOR PROCESSING MICROFLUIDIC
SAMPLES OF PARTICLE CONTAINING FLUIDS

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and for which a patent application:

☒ is attached hereto☒ was filed in the United States on December 14, 2001 as Application No. 10/014,520 (for declaration not accompanying application)☐ with amendment(s) filed on (if applicable)☐ was filed as PCT international Application No. on and was amended under PCT Article 19 on (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| EARLIEST FOREIGN APPLICATION(S), IF ANY, FILED PRIOR TO THE FILING DATE OF THE APPLICATION | | | |
|--|---------|--------------------------------------|--|
| APPLICATION NUMBER | COUNTRY | DATE OF FILING (day, month, year) | PRIORITY CLAIMED |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |
| | | | YES <input type="checkbox"/> NO <input type="checkbox"/> |

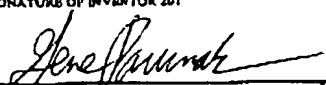
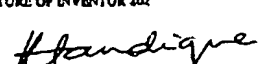
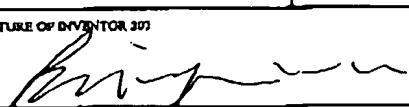

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

| PROVISIONAL APPLICATION NUMBER | FILING DATE |
|--------------------------------|---------------|
| 60/307,638 | July 26, 2001 |
| | |
| | |

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code §112, I acknowledge the duty to disclose information known to me which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

| NON-PROVISIONAL APPLICATION SERIAL NO. | FILING DATE | STATUS | | |
|---|--------------------|----------|---------|-----------|
| | | PATENTED | PENDING | ABANDONED |
| 09/953,921 | September 18, 2001 | | x | |
| 09/819,105 | March 28, 2001 | | x | |
| | | | | |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | | | |
|-------------|--|--|--------------------------------------|----------------------------------|
| 2 0 1 | FULL NAME OF INVENTOR | LAST NAME PARUNAK | FIRST NAME Gene | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY Ann Arbor | STATE OR FOREIGN COUNTRY Michigan | COUNTRY OF CITIZENSHIP U.S.A. |
| | POST OFFICE ADDRESS | STREET 1845 Lake Lila Lanc, Apt. C3 | CITY Ann Arbor | STATE OR COUNTRY Michigan |
| | SIGNATURE OF INVENTOR 201  | | | DATE 3/11/02 |
| 2 0 2 | FULL NAME OF INVENTOR | LAST NAME HANDIQUE | FIRST NAME Kalyan | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY Ann Arbor | STATE OR FOREIGN COUNTRY Michigan | COUNTRY OF CITIZENSHIP India |
| | POST OFFICE ADDRESS | STREET 3017 Forest Creek Court | CITY Ann Arbor | STATE OR COUNTRY Michigan |
| | SIGNATURE OF INVENTOR 202  | | | DATE 3/11/02 |
| 2 0 3 | FULL NAME OF INVENTOR | LAST NAME WU | FIRST NAME Betty | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY Canton | STATE OR FOREIGN COUNTRY Michigan | COUNTRY OF CITIZENSHIP USA |
| | POST OFFICE ADDRESS | STREET 48295 Redrun Drive | CITY Canton | STATE OR COUNTRY Michigan |
| | SIGNATURE OF INVENTOR 203  | | | DATE 3-11-02 |
| 2 0 4 | FULL NAME OF INVENTOR | LAST NAME KEHRER | FIRST NAME Aaron | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY Ann Arbor | STATE OR FOREIGN COUNTRY Michigan | COUNTRY OF CITIZENSHIP U.S.A. |
| | POST OFFICE ADDRESS | STREET 2351 Lancashire Drive, Apt. 2A | CITY Ann Arbor | STATE OR COUNTRY Michigan |
| | SIGNATURE OF INVENTOR 204  | | | DATE 3-11-02 |
| 2 0 5 | FULL NAME OF INVENTOR | LAST NAME | FIRST NAME | MIDDLE NAME |
| | RESIDENCE & CITIZENSHIP | CITY | STATE OR FOREIGN COUNTRY | COUNTRY OF CITIZENSHIP |
| | POST OFFICE ADDRESS | STREET | CITY | STATE OR COUNTRY |
| | SIGNATURE OF INVENTOR 205 | | | DATE |